

# COTTONWOOD HEIGHTS

## RESOLUTION No. 2012-56

### A RESOLUTION APPROVING A NOTICE OF IMPENDING BOUNDARY ACTION (TAVACI DISCONNECTION)

**WHEREAS**, effective 28 March 2012, the Third Judicial District Court of Salt Lake County, Utah (the "*Court*") entered a "Decree of Disconnection" (the "*Decree*") in the matter styled "Cottonwood Estates Development, LLC v. Cottonwood Heights" (Case No. 110918819); and

**WHEREAS**, pursuant to the Decree, the Court ordered the real property described therein, which is commonly known as the "Tavaci" subdivision (the "*Disconnected Property*"), to be disconnected and separated from the municipal boundaries of the city of Cottonwood Heights (the "*City*") and to become a part of the unincorporated area of Salt Lake County, Utah (the "*County*"); and

**WHEREAS**, the approved final local entity plat showing the Disconnected Property heretofore has been filed with the office of the Utah Lieutenant Governor (the "*Lt. Governor*") by the office of the County's surveyor, as required by statute; and

**WHEREAS**, the city council (the "*Council*") of the City met on 9 October 2012 to consider, among other things, approving the "Notice of Impending Boundary Action" (the "*Notice*") required by UTAH CODE ANN. sections 10-2-507 and 67-1a-6.5, and authorizing and directing the City's mayor and recorder to execute, deliver and certify the Notice to the Lt. Governor as required by statute; and

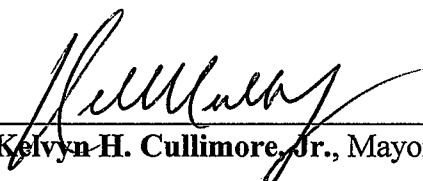
**WHEREAS**, the Council has reviewed the Notice, a copy of which is annexed as an exhibit to this resolution;

**NOW THEREFORE, BE IT RESOLVED** by the Cottonwood Heights city council that the Council hereby approves the Notice; authorizes and directs the City's mayor and recorder to promptly execute and deliver the Notice to the Lt. Governor; and acknowledges that such execution and delivery of the Notice shall constitute the City's certification that all requirements applicable to the subject disconnection of Tavaci from the City have been met.

This Resolution, assigned no. 2012-56, shall take effect immediately upon passage.

**PASSED AND APPROVED** 9 October 2012.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By   
Kelvin H. Cullimore, Jr., Mayor



*Linda W. Dunlavy*  
Linda W. Dunlavy, Recorder

**VOTING:**

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	<i>Absent</i>	Yea <input type="checkbox"/> Nay <input type="checkbox"/>

**DEPOSITED** in the office of the City Recorder this 9<sup>th</sup> day of October 2012.

**RECORDED** this 10 day of October 2012.

585694.1

# COTTONWOOD HEIGHTS

## NOTICE TO THE UTAH LIEUTENANT GOVERNOR OF IMPENDING BOUNDARY ACTION

**PLEASE TAKE NOTICE** that:

A. Effective 28 March 2012, the Third Judicial District Court of Salt Lake County, Utah (the "*Court*") entered a "Decree of Disconnection" (the "*Decree*") in the matter styled "Cottonwood Estates Development, LLC v. Cottonwood Heights" (Case No. 110918819); and

B. Pursuant to the Decree, the Court ordered the real property described therein (the "*Disconnected Property*") to be disconnected and separated from the municipal boundaries of the city of Cottonwood Heights (the "*City*") and to become a part of the unincorporated area of Salt Lake County, Utah (the "*County*"); and

C. The approved final local entity plat showing the Disconnected Property heretofore has been filed with the office of the Utah Lieutenant Governor (the "*Lt. Governor*") by the office of the County's surveyor, and all other requirements applicable to such disconnection have been met; and

D. Pursuant to its Resolution No. 2012-56, the City's governing body has authorized and directed the City's mayor and recorder to execute and deliver this notice to the Lt. Governor, which execution and delivery constitutes the City's certification that all requirements applicable to such boundary action have been met.

**DATED** 9 October 2012.

**COTTONWOOD HEIGHTS**

By \_\_\_\_\_  
**Kelvyn H. Cullimore, Jr., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Linda W. Dunlavy, Recorder**